

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN) ECF Case
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This document relates to: *All Actions*

**DECLARATION OF ROBERT T. HAEFELE TRANSMITTING EVIDENCE  
IN SUPPORT OF PLAINTIFFS' MEMORANDUM IN SUPPORT  
OF MOTION FOR SANCTIONS AGAINST SOLIMAN H.S. AL BUTHE  
FOR FAILURE TO APPEAR AND TO STAY DEADLINES**

I, Robert T. Haeefe, declare, under penalty of perjury, as follows:

1. I am an attorney admitted to practice in the above-captioned matter, a member of the Plaintiffs' Executive Committees in this MDL, and associated with the law firm Motley Rice LLC, counsel for plaintiffs in this MDL. I submit this Declaration to transmit to the Court the following documents in support of Plaintiffs' Memorandum in Support of Motion for Sanctions Against Soliman Al Buthe for Failure to Appear.

2. Attached hereto as **Exhibit 1** is a true and correct copy of correspondence, dated July 9, 2018, from the Plaintiffs' Executive Committees to Alan Kabat, counsel for defendant Soliman Al Buthe and other charity official defendants. Enclosed with that letter, among a number of deposition notices, is the "Notice of Discovery Deposition" for the deposition of defendant Soliman H.S. Al Buthe, noticing his deposition for September 17-18, 2018, in London, United Kingdom.

3. Attached hereto as **Exhibit 2** is a true and correct copy of correspondence, dated July 25, 2018, from the Plaintiffs' Executive Committees to Alan Kabat, counsel for defendant Soliman Al Buthe and other charity official defendants.

4. Attached hereto as **Exhibit 3** is a true and correct copy of correspondence, dated July 20, 2018, from Alan Kabat, counsel for defendant Soliman al-Buthe and other charity official defendants, addressed to Sean P. Carter and Scott Tarbutton, members of the Plaintiffs' Executive Committees.

5. Attached hereto as **Exhibit 4** is a true and correct copy of the cover page and appearances of plaintiffs' counsel and Alan Kabat, counsel for Soliman Al Buthe, at one of several depositions conducted in London, United Kingdom, during the period that Al Buthe's deposition was noticed. In fact, counsel for the plaintiffs and Alan Kabat, counsel for Al Buthe, were present in London and available for Al Buthe's deposition at the time noticed for his deposition

6. Movants have, on multiple occasions, conferred with counsel for defendant Al Buthe, in an attempt to have Mr. Al Buthe comply with the notice for his deposition without court intervention, but have been unsuccessful in obtaining his testimony. See also ECF No. 4495 at 5 (Joint Status Report, dated April 23, 2019, months after the scheduled date of Al Buthe's deposition, acknowledging that Al Buthe declined to appear for his deposition notwithstanding the Court's denial of his application for a protective order, and that plaintiffs' counsel were available and present at the scheduled time and place)

Executed in Mount Pleasant, South Carolina, on January 15, 2020.

/s/ ROBERT T. HAEFELE  
Robert T. Haefele, Esq.